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C O N F I D E N T I A L SECTION 01 OF 02 MINSK 000099

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TAGS: [PGOV](#) [PHUM](#) [PINR](#) [BO](#)

SUBJECT: ACTIVIST'S MOTHER DISCUSSES SON'S DETENTION, TRIAL

REF: MINSK 042

Classified By: Ambassador Karen Stewart for reason 1.4 (d).

Summary

¶1. (C) Ambassador met February 7 with Tatyana Kim, mother of detained youth activist Andrey Kim. Kim described the difficulties her son's attorney has been facing in court, and the support he has received from prominent members of the opposition. End summary.

Youth Facing Six-Year Imprisonment

¶2. (C) Ambassador met with Tatyana Kim, mother of 21-year-old youth activist Andrey Kim, who is currently in police custody and is facing a six-year jail term for allegedly assaulting a police officer. He was one of 23 activists arrested following their participation in the January 21 entrepreneurs' demonstration (reftel). The following day he was sentenced to ten days in jail and a fine of BYR 1,050,000 (USD 490). However, after bringing the assault charges against him, authorities have continued to hold him in custody pending trial.

"Our Attorney is Scared"

¶3. (C) Kim's defense attorney faces significant difficulties in court. Mrs. Kim stated that "our attorney is scared. He doesn't share any information with me because he was forced to sign a non-disclosure agreement regarding the case." The attorney, who has over twenty years' experience in criminal defense, has no experience with defending members of the democratic movement, and has become wary of the obviously political nature of the trial.

¶4. (C) Mrs. Kim also reported that authorities denied her requests to visit her son in jail. Court officials refused to inform her or the attorney when the criminal trial will begin, and indicated that it will be held behind closed doors.

A History of Harassment

¶5. (C) Andrey Kim is the only activist of 23 arrested after the January 21 demonstration to face criminal charges. Authorities first detained him in 2006 following the presidential elections, and then again the following November for organizing a small Halloween flashmob gathering in downtown Minsk. School administrators later expelled him from university. Mrs. Kim reported that police came to question him at their house numerous times in January after a photograph of him holding the white-red-white Belarusian nationalist flag was published in the newspaper "Belgazeta."

"I Have Started to Believe"

16. (C) On February 1, opposition forces led by Vyacheslav Sivchik and Pavel Severinets launched a publicity campaign to pressure authorities to release Kim. Mrs. Kim expressed gratitude to them and to the Embassy for monitoring her son's situation, saying "he's a young man who thinks he can accomplish something. At first I was skeptical, but now that I see so many people supporting him and sacrificing, I have started to believe."

Comment

17. (C) The regime is clearly singling Kim out for harsher punishment at least in part because of his history of opposition activity. With the prosecution unwilling or unable to disclose evidence of possible violence on the part of Kim, post cannot evaluate whether authorities completely fabricated the charge. One United Civic Party Deputy Chair did not jump to Kim's defense, however, suggesting to Poloff that the charges are not outlandish. Even if Kim did step over the bounds of peacefully expressing his opinion, asking for six years' imprisonment when no police officer was injured denotes a strong political motivation on the part of the prosecution.

18. (C) Mrs. Kim's description of her son's case highlights a potential key factor for opposition forces. The more authorities jail activists -- especially youth -- the more those who were otherwise indifferent to the democratic movement will become energized to fight for change.

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